

**COUNCIL CHAMBERS
1670 STIEGER LAKE LANE
VICTORIA, MINNESOTA**

MINUTES

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CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Funk called the regular City Council meeting to order at 6:35 p.m. and led the Pledge of Allegiance.

Roll Call:

Members Present: Mayor Tom Funk; Council members Jim Crowley, Tom Gregory, Tom Strigel, and Tom Vogt.

Absent: None

Staff Present: City Manager Laurie Hokkanen, Public Works and Park and Recreation Director Ann Mahnke, Community Development Director Ben Landhauser, Finance Director Kelly Grinnell, City Clerk Cindy Patnode, City Engineer Cara Geheren, and City Attorney Robert Vose.

Others Present: Sue Orsen, *The Victoria Gazette*

There were approximately 15 people in attendance.

ADOPT AGENDA

On a motion by Strigel, seconded by Vogt, to adopt the Agenda to place Council Reports at the end of the agenda as a discussion item and allow discussion with Open Forum speakers.

Points of consideration: Open and transparent meetings; proper decorum of Council and audience members; question Open Forum speakers for clarification in a courteous manner and not to interrupt them; fairness to all speakers; no action on Open Forum items as it is not an agenda item; concern of accusations made by Open Forum speakers to sitting Council members; Council roll in reigning in meetings they feel are out of control is to state to the Mayor that it's out of line.

Motion carried on the following roll call vote:

Funk: Nay, Crowley: Aye, Gregory: Nay, Strigel: Aye, Vogt: Aye

OPEN FORUM

Mayor Funk inquired if anyone was present to speak to the Council in the Open Forum format.

Judy Black, 1938 Woodstone Drive, Victoria expressed her concern of the Council spending excess time on the litigation issue; her inspiration of Council workmanship at the Special Council Meeting of 9/18; and requested a motion be made to have litigation controversy be at a separate Special Council Meeting.

Sara Coon, 820 Interlaken, Victoria discussed general Council performance; thanked them for serving the residents; excessive time spent on litigation issue; focus should be on the city's (the 8900 residents not involved in the litigation issue) interest first.

On a motion by Crowley, seconded by Strigel, to remove all discussion regarding litigation from future agendas.

Points of consideration: The litigation is part of city business; unknown future legal fees; as stated in the Open Forum section, no official action will be taken in this section.

Council member Crowley withdrew his motion and requested it be placed on the next agenda.

CONSENT AGENDA

The consent items for consideration:

Council member Gregory pulled the Claims Roster for further discussion.

- A. Minutes of 9/11/17 and Special Council Minutes of 9/18/17 as submitted.
- B. Pulled to discuss after the Consent Agenda.
- C. Approve 2018 Prosecution Contract with Carver County.
- D. Approve Temporary On-Sale Liquor License for the Holy Family Catholic High School for November 11, 2017.
- E. Authorize the sale of surplus fire department equipment on the website GovDeals.com
- F. Release of Easement: Whispering Hills 2nd Addition – Approve Resolution 2017-61, *A Resolution Approving a Release of Platted Drainage and Utility Easement over all of Outlot J Whispering Hills*
- G. Lot Split: 7090 Rolling Acres Road Approve Resolution 2017-62, *A Resolution Approving a Land Division for 7090 Rolling Acres Road*

On a motion by Funk, seconded by Vogt, to approve the consent agenda items as submitted.

Funk: Aye, Crowley: Aye, Gregory: Aye, Strigel: Aye, Vogt: Aye

Motion carried unanimously.

Claims Roster

Council member Gregory stated a bill in the amount of \$83.48 for his father's funeral was included in the bills and he will donate \$100 to cover that expense citing that it may be taken out of context in the future.

On a motion by Funk, seconded by Strigel, to approve the Claims Roster, Check #'s 56960-57016, August ACH payments, and 9/21/17 Payroll totaling \$355,126.26.

Motion carried on the following roll call vote:

Funk: Aye, Crowley: Aye, Gregory: Abstained, Strigel: Aye, Vogt: Aye

City Manager Hokkanen stated that it is common practice to send flowers in memory of loved ones of the City Council and staff.

Additional Comment of the Consent Agenda: Consensus of the Council was to have the City Prosecutor attend a future Council meeting for a presentation.

DONATIONS

On a motion by Strigel, seconded by Crowley, to approve Resolution 2017-63, *A Resolution Accepting Donations*. Councilor Strigel read the donors contributions and thanked them for their generosity.

Motion carried unanimously.

NEW BUSINESS

Final Plat: Hillpointe

Community Development Director Landhauser updated the Council on the Hillpointe Final Plat confirming it was the same as the Preliminary Plat and is in accordance with the newly adopted standards. Public Works/Park and Rec Director Mahnke gave a brief review of the trails in that area stating a connection to Hwy 5 is a high priority.

On a motion by Vogt, seconded by Crowley, to approve Resolution 2017-64, *A Resolution Approving a Final Plat for Hillpointe as submitted by Hartman Communities*.

Motion carried unanimously.

Adopt Preliminary 2018 Levy & Budget

Finance Director Grinnell reviewed the 2018 Preliminary General Fund Levy & Budget with the Council.

Items discussed: Playgrounds; trails; professional service increases; consideration of full-time IT staff (*not for next 5 years*); increase for family health insurance for new building inspectors; unknown health insurance costs; increase in number of street lights due to Rose Street parking lot; Franchise fees are approximately \$65,000 per year; Franchise fees for Electric and Gas are another category; costs of trails per mile (*hard to determine due to variables*); unfunded projects; grant funding; pool status; caution pool maintenance fees and the initial cost; pay down debt; Parks and Rec department reprioritize projects yearly; continue to connect trails; expenditures haven't

changed since the prior meeting; shift due to net tax capacity and fiscal disparities; tax rate/capacity misleading; Carver County is in the middle range in comparison to the nine metro Counties; budgeted 111 for new home permits but currently at 130 homes; Revenue Stabilization Fund balance is \$330,000; public input is welcome anytime.

On a motion by Vogt, seconded by Strigel, to approve Resolution 2017-65, *A Resolution Approving a Preliminary Tax Levy for the City of Victoria for Collection in 2018*.

Funk: Aye, Crowley: Aye, Gregory: Aye, Strigel: Aye, Vogt: Aye

Motion carried unanimously.

On a motion by Vogt, seconded by Crowley, to approve Resolution 2017-66, *A Resolution Approving a Preliminary 2018 Budget for the General Fund*.

Funk: Aye, Crowley: Aye, Gregory: Aye, Strigel: Aye, Vogt: Aye

Motion carried unanimously.

UNFINISHED BUSINESS

Consider Waiver of Attorney Client Privilege (Motion tabled at 9/11/17 meeting) under the heading Opinion from the Office of the Minnesota Attorney General

Council member Gregory led a lengthy discussion regarding the consideration of waiving Attorney-Client privilege memo from 2016 regarding payment of legal fees and the consideration of Conflict of Interest by current Council members' ability to vote regarding the same.

City Manager Hokkanen recommended not waiving the Attorney Client Privileged memo since it was written under the auspice of threatened litigation and different standards would apply if it were meant for the public.

On a motion by Funk, seconded by Gregory, to waive the Attorney Client Privileged memo.

Motion failed on the following roll call vote:

Funk: Aye, Crowley: Nay, Gregory: Aye, Strigel: Nay, Vogt: Nay

Recap of Special Meeting on September 18, 2017

Community Development Director Landhauser recapped the 9/18/17 Council meeting takeaways:

- Target area near County Roads 10 & 11 as a commercial/employment district to help diversify the tax base.
- Staff to stay engaged with other state agencies for future beneficial opportunities.
- Form a marketing toolkit for the CR 10 & 11 corridor.
- Schedule a Council workshop type of format for future larger projects.
- Position utilities to serve that area.

Council complemented staff's focus on this item.

REPORTS OF THE CITY MANAGER

City Manager Hokkanen informed the Council of a joint meeting with the Council, Park and Recreation Committee, and the Planning Commission on Monday October 16, 2017 at 7 p.m. in the Council Chambers.

REPORTS OF THE MAYOR, COUNCIL MEMBERS, ATTORNEY

Council member Strigel

Council member Strigel inquired of the correlation of police calls and activity since increasing to 24/7 patrol; community engagement activities; and questioned how to address items the Mayor posts on his website.

Mayor Funk

Mayor Funk stated that he may report highlights at the Council meeting and the details would be on his website; Council can bring up items he has posted for discussion purposes but he has no report this evening.

Council member Vogt

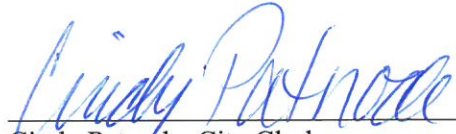
Council member Vogt acknowledged the hard work done by the Finance Committee in working on the Levy that was passed earlier in the meeting.

ADJOURNMENT

On a motion by Funk, seconded by Gregory, to adjourn at 8:46 p.m.

Motion carried unanimously.

ATTEST:


Cindy Patnode, City Clerk


Thomas C. Funk, Mayor